From: Kevin Dickson
To: Microsoft ATR
Date: 1/23/02 11:35pm
Subject: Microsoft Settlement

Dear Sir or Madam,

I have reviewed the Final Judgment for the Microsoft antitrust case dated November 6, 2001. I, as a United States Citizen, would like to provide my comments on this proposed settlement.

I am a software engineer by trade, and have been working in such a position for 2 years. Beyond this, I am have been using computers for many years having experience with and programming in Unix, Linux, Windows, and MacOS.

Overall, I do not feel that this settlement does enough to keep Microsoft from retaining a strangle hold of the operating system space, the home user's choices and the computer industry in general, especially for the long term. Also, I do not feel that this settlement provides enough of an umbrella to prevent Microsoft from gaining monopolies in additional areas.

In paragraph D of section III. Prohibited Conduct, I first read this as a good start, releasing APIs and other documentation to certain areas of the computer industry. I believe that this should be extended, that everyone should be able to view and use these APIs and documentation easily and license free. Doing so, I believe, would allow others create a competing operating systems that would be able to run current Windows applications, and also to allow more application which can compete with Microsoft middleware application. Later on, in paragraph J of the same section, it would seem that paragraph D could be voided out by Microsoft claiming and this API and that documentation cannot be released as it would constitute a security violation or anti-piracy/anti-virus workaround. We know that Microsoft agrees with the security through obscurity idea. One only needs to look at Unix and Linux to see that this is not the case with their relative lack of wide spread viruses and worms infections.

I also feel that the releasing of APIs and documentation should be extended from just Microsoft operating systems. Microsoft is currently working on their .NET project. This is not itself an operating system as I understand it, but it is a large platform for another level of applications. It this area it could again put a strangle on competing applications.

My final point is one of this settlement's length of enforcement. In section V. Termination, this settlement is only enforceable for 5 years (barring an extension). My thought is that this is far too short. But I do not have experience in writing out final judgments and do not know how this compares to other settlements of the past.

These are a few of my views of the Final Judgment. I hope they will be
taken into consideration. Microsoft was found guilty by the US courts and
should be punished to the fullest extent. They have done much for the
computer industry and for the general user, but I would argue that more
and greater innovations would have come about in the absence of Microsoft's
monopolistic actions.

Thank you for your time.

Kevin W. Dickson, Software Engineer, Raytheon Co.
Billerica, Massachusetts